

REMARKS

Claims 1-30 are pending. The Office Action dated July 8, 2004 in this Application has been carefully considered. The above amendments and the following remarks are presented in a sincere attempt to place this Application in condition for allowance. Claims 1, 12, 16, 18, 21, 23, 28, 29, and 30 have been amended in this Response. Reconsideration and allowance are respectfully requested in light of the above amendments and following remarks.

Claims 1-11 stand rejected under 35 U.S.C. §103(a) in view of Applicant Admitted Prior Art ("AAPA"), U.S. Patent No. 6,469,983 by Narayana et al. ("Narayana"), and U.S. Patent No. 5,862,335 by Welch, Jr. et al. ("Welch"). Insofar as they may be applied against the Claims, these rejections are overcome.

Rejected independent Claim 1 as now amended more particularly recites one of the distinguishing characteristics of the present invention, namely, "reporting a first message *to a Law Enforcement Agency (LEA)* in response to a determination that the extracted CAI is the new instance of the CAI." (Emphasis added.) Support for this Amendment can be found, among other places, page 11, lines 10-23, of the original Application.

Neither APAA, Narayana, nor Welch suggest, teach, or disclose reporting a CAI to an LEA, singularly or in combination with other elements of the present invention of Claim 1. Specifically, APAA is directed toward conventional methodologies that LEAs employ to gather information on subjects. Narayana is directed toward network packet scheduling, and Welch is directed toward network packet analysis. However, the present invention of Claim 1 employs a technique of collection and transmission of CAIs that would not violate the Fourth Amendment of the U.S. Constitution. In fact, there is a long felt need for different surveillance techniques to gather information on criminal activity that does not violate the Fourth Amendment of the U.S.

Constitution. By allowing an LEA to gather CAI information, the privileged and private information on a subject can be insulated from the LEA while allowing the LEA to access other available information, which can also be changed as the law changes. Therefore, the present invention of Claim 1 provides a solution to a need for LEAs to lawfully gather information on subjects while respecting endowed rights dynamically with changing technology.

In view of the foregoing, it is apparent that the cited references do not disclose, teach or suggest the unique combination now recited in amended Claim 1. Applicants therefore submit that amended Claim 1 is clearly and precisely distinguishable over the cited reference in a patentable sense, and is therefore allowable over this reference and the remaining references of record. Accordingly, Applicants respectfully request that the rejection of Claim 1 under 35 U.S.C. § 103(a) in view of AAPA, Narayana, and Welch be withdrawn and that amended Claim 1 be allowed.

Claims 2-11 depend on and further limit Claim 1. Hence, for at least the aforementioned reasons, these Claims should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claims 2-11 also be withdrawn.

Claims 12-15 and 28 stand rejected under 35 U.S.C. §103(a) in view of AAPA and Welch. Insofar as they may be applied against the Claims, these rejections are overcome.

Applicants respectfully contend that the rejections of Claims 12 and 28 are overcome for at least some of the reasons that the rejection of Claim 1 as amended is overcome. These reasons include AAPA and Welch not disclosing, teaching, or suggesting “reporting the CAI ... *to an LEA.*” (Emphasis added.)

In view of the foregoing, it is apparent that the cited references do not disclose, teach or suggest the unique combination now recited in amended Claims 12 and 28. Applicants therefore submit that amended Claims 12 and 28 are clearly and precisely distinguishable over the cited

reference in a patentable sense, and are therefore allowable over this reference and the remaining references of record. Accordingly, Applicants respectfully request that the rejections of Claims 12 and 28 under 35 U.S.C. § 103(a) in view of AAPA and Welch be withdrawn and that amended Claims 12 and 28 be allowed.

Claims 13-15 depend on and further limit Claim 12. Hence, for at least the aforementioned reasons, these Claims should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claims 13-15 also be withdrawn.

Claims 16, 17, and 29 stand rejected under 35 U.S.C. §103(a) in view of AAPA, Narayana, and Welch. Insofar as they may be applied against the Claims, these rejections are overcome.

Applicants respectfully contend that the rejections of Claims 16 and 29 are overcome for at least some of the reasons that the rejection of Claim 1 as amended is overcome. These reasons include AAPA, Narayana, and Welch not disclosing, teaching, or suggesting “providing access to an LEA to the message [comprising at least a portion of the extracted CAI].” (Emphasis added.)

In view of the foregoing, it is apparent that the cited references do not disclose, teach or suggest the unique combination now recited in amended Claims 16 and 29. Applicants therefore submit that amended Claims 16 and 29 are clearly and precisely distinguishable over the cited reference in a patentable sense, and are therefore allowable over this reference and the remaining references of record. Accordingly, Applicants respectfully request that the rejections of Claim 16 and 29 under 35 U.S.C. § 103(a) in view of AAPA, Narayana, and Welch be withdrawn and that amended Claims 16 and 29 be allowed.

Claim 17 depends on and further limits Claim 16. Hence, for at least the aforementioned reasons, this Claim should be deemed to be in condition for allowance. Applicants respectfully request that the rejection of dependent Claim 17 also be withdrawn.

Claims 18-20, and 30 stand rejected under 35 U.S.C. §103(a) in view of AAPA and Narayana. Insofar as they may be applied against the Claims, these rejections are overcome.

Applicants respectfully contend that the rejections of Claim 18 and 30 are overcome for at least some of the reasons that the rejection of Claim 1 as amended is overcome. These reasons include AAPA and Narayana not disclosing, teaching, or suggesting “providing [information...] *to an LEA* [...] indicating the format of the CAI.” (Emphasis added.)

In view of the foregoing, it is apparent that the cited references do not disclose, teach or suggest the unique combination now recited in amended Claims 18 and 30. Applicants therefore submit that amended Claims 18 and 30 are clearly and precisely distinguishable over the cited reference in a patentable sense, and are therefore allowable over this reference and the remaining references of record. Accordingly, Applicants respectfully request that the rejections of Claims 18 and 30 under 35 U.S.C. § 103(a) in view of AAPA and Narayana be withdrawn and that amended Claims 18 and 30 be allowed.

Claims 19 and 20 depend on and further limit Claim 18. Hence, for at least the aforementioned reasons, these Claims should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claims 19 and 20 also be withdrawn.

Claims 21 and 22 stand rejected under 35 U.S.C. §103(a) in view of AAPA and Narayana. Insofar as they may be applied against the Claims, these rejections are overcome.

Applicants respectfully contend that the rejection of Claim 21 is overcome for at least some of the reasons that the rejection of Claim 1 as amended is overcome. These reasons include AAPA and Narayana not disclosing, teaching, or suggesting “indicating the format of the CAI [...] by providing *to an LEA* an application identifier.” (Emphasis added.)

In view of the foregoing, it is apparent that the cited references do not disclose, teach or suggest the unique combination now recited in amended Claim 21. Applicants therefore submit that amended Claim 21 is clearly and precisely distinguishable over the cited reference in a patentable sense, and is therefore allowable over this reference and the remaining references of record. Accordingly, Applicants respectfully request that the rejection of Claim 21 under 35 U.S.C. § 103(a) in view of AAPA and Narayana be withdrawn and that amended Claim 21 be allowed.

Claim 22 depends on and further limits Claim 21. Hence, for at least the aforementioned reasons, this Claim should be deemed to be in condition for allowance. Applicants respectfully request that the rejection of dependent Claim 22 also be withdrawn.

Claims 23-27 stand rejected under 35 U.S.C. §103(a) in view of AAPA, Narayana, and Welch. Insofar as they may be applied against the Claims, these rejections are overcome.

Applicants respectfully contend that the rejection of Claim 23 is overcome for at least some of the reasons that the rejection of Claim 1 as amended is overcome. These reasons include AAPA, Narayana, and Welch not disclosing, teaching, or suggesting “means for reporting a first message in response to a determination that the extracted CAI is the new instance of the CAI *to an LEA*.” (Emphasis added.)

In view of the foregoing, it is apparent that the cited references do not disclose, teach or suggest the unique combination now recited in amended Claim 23. Applicants therefore submit that amended Claim 23 is clearly and precisely distinguishable over the cited reference in a patentable

sense, and is therefore allowable over this reference and the remaining references of record. Accordingly, Applicants respectfully request that the rejection of Claim 23 under 35 U.S.C. § 103(a) in view of AAPA, Narayana, and Welch be withdrawn and that amended Claim 23 be allowed.

Claims 24-27 depend on and further limit Claim 23. Hence, for at least the aforementioned reasons, these Claims should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claims 24-27 also be withdrawn.

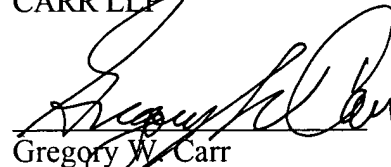
Applicants have now made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-30.

Applicants have included a check in the amount of one hundred and ten dollars (\$110.00) to cover a one month extension. In the event that any fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 50-0605 of CARR LLP.

Should the Examiner require any further clarification to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

CARR LLP


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